

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

ELWOOD H. JONES, JR.,

Petitioner,

-vs-

MARGARET BAGLEY, Warden,

Respondent.

:

Case No. 1:01-cv-564

:

District Judge Thomas M. Rose
Magistrate Judge Michael R. Merz

:

ORDER REGARDING PETITIONER'S *PRO SE* AFFIDAVIT

On May 17, 2004, at the express direction of the Petitioner acting *pro se*, the Court caused to be filed Petitioner's Affidavit of February 6, 2004, in which he purports to give up his remaining "Federal Appeals" and volunteer to be executed. He also purports to discharge his present counsel.

It is hereby ordered that, not later than July 1, 2004, counsel for the parties herein shall file with the Court counsel's positions on the manner in which the Court should handle the Pro Se Affidavit.

June 3, 2004.

s/ **Michael R. Merz**
United States Magistrate Judge

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